

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.**

WRIT PETITION NO.8569 OF 2004

Shri Dattaray Mahadu Jadhav, .. Petitioner
Vs

Tahsildar Igatpur & Ors. .. Respondents

Dr. V.K. Choudhari, for the petitioner.

Mr A.H.Palekar, AGP for the respondent-State

CORAM : D.B.BHOSALE, J.

DATE : 4th November, 2004.

PC:

1. Heard the learned counsel for the petitioner.

2. This petition is directed against the order dated 10.9.2004, by which respondent no.7 has allowed the revision filed by respondent no.5 partly. The operative part of the order reads thus :

"1. The Revision Application of the applicant is allowed partly.

2. Orders dated 25.2.2004 and 30.6.2004 of the District Supply Officer and Deputy Commissioner (Supply), Nashik respectively are cancelled.

3. After depositing with the Government the entire amount of deposit and fine to the extent of Rs.1,000/- from the applicant, the order is

granted to start Authority Letter of the shop as before.

4. The District Supply Officer should give a written warning to the applicant not to repeat such deficiencies in future.

5. Order be informed to all the concerned."

3. I perused the show cause notice and all earlier orders passed in the proceedings. It appears that some irregularities were committed by the petitioner and in view thereof the aforestated order was passed in the revision by respondent no.7. Though Mr Choudhari, learned counsel for the petitioner, submitted across the Bar that there was a charge of adulteration he could not point out from the record such charge against respondent no.5. As a matter of fact, the application made by the villagers also does not speak about the allegation of adulteration. Keeping that in view and considering the overall facts and circumstances of the case, in my opinion, the order passed by respondent no.7 is just and proper and does not deserve interference by this Court under Article 227 of the Constitution of India. The writ petition, therefore, fails and is dismissed as such.

(D.B.BHOSALE, J.)